UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,008	05/11/2006	Xiaobao Chen	DYC-00500	6188

28960 7590 09/25/2009		

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EXAMINER
HO, CHUONG T

ART UNIT	PAPER NUMBER
2419	

MAIL DATE	DELIVERY MODE
09/25/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 January 2009</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21,24,28-59 and 63</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☒ Claim(s) <u>1-21,28-58</u> is/are allowed.
6)☒ Claim(s) <u>24,59 and 63</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   The amendment filed 01/14/09 have been entered and made of record.

2.   Claims 1-21, 24, 28-59, and 63 are pending.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or
> composition of matter, or any new and useful improvement thereof, may obtain a patent
> therefor, subject to the conditions and requirements of this title.

4.   Claims 24, 59, 63 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter. The examiner has reviewed

and interpreted a computer readable medium having recorded thereon

information **signals** representative of the computer program claimed (Original

claim 25).

Allowable Subject Matter

5.   Claims 1-21, 28-58 are allowed.

6.   The following is a statement of reasons for the indication of allowable

subject matter: Claim 1 is allowed. Krishmarajah et al. (Pub. No. 2003/0081592

A1) discloses a gateway support node (figure 7, GGSN) operable to provide an

interface for communicating the data packets (figure 7, Internet) between the

mobile communications user equipment (User Equipment) and the a packet data

telecommunications network, (figure 7, internet)

a service support node (figure 7, SGSN) operable to communicate the data

packets between the gateway support node (GGSN) and the mobile

communications user equipment using a radio network controller (Radio Access

network (RAN)) , the radio network controller being operable to provide a radio

access bearer for communicating the data packets with the mobile

communications_user equipment (figure 7, User equipment "UE"),

wherein at least one of the gateway support node and the mobile

communications user equipment are operable to parse the payload data in each

data packet to determine a number of the plurality of different data types (figure

12);

to form a transport frame (figure 12, AMR frame) for each data packet by

combining the payload data for each data packet with the sub-flow indicator

([0054] subflow) , the transport flame being used to communicate each data

packet between the gateway (figure 7, GGSN) support node and the radio

network controller (figure 7, RCN 104) via the service support node(figure 7,

SSGN) , and the data packets are communicated between the radio network

controller (figure 7, RCN 104).

Lee (Pub. No.: US 2003/0021256 A1) discloses a gateway support node (figure

1, GGSN) operable to provide an interface for communicating the data packets

(figure 1, Internet) between the mobile communications_user equipment (User

Equipment) and the a packet data telecommunications network, (figure 1,

internet)

a service support node (figure 1, SGSN) operable to communicate the data

packets between the gateway support node (GGSN) and the mobile

communications user equipment using a radio network controller (Radio Access

network (RAN)) , the radio network controller being operable to provide a radio

access bearer for communicating the data packets with the mobile

communications_user equipment (figure 7, User equipment "UE" 100)

The prior art however fails to disclose wherein at least one of the gateway

support node and the mobile_communications user equipment are operable <u>to</u>

<u>parse the payload data in each data packet to determine a number of data</u>

<u>symbols in each of the different data types</u>, to generate a radio access bearer

sub-flow indicator providing an indication of the number of different types of data

in the payload and the number of symbols in each different data type, and the

mobile_communications user equipment by detecting the sub-flow indicator , and

in accordance with the sub-flow indicator arranging for the data from each of the

different data fields to be communicated via a different radio access bearer

providing different quality of service parameters appropriate for the different data

type

Claim 8 is allowed. . Krishmarajah et al. '592' discloses providing an interface

for communicating the data packets between the mobile communications_user

equipment (figure 7, User Equipment (UE) 102) and a packet data

telecommunications network (figure 7, Internet), communicating the data packets

between the interface and the mobile communications user equipment (figure 7,

UE 102) using a radio network controller (figure 7, Radio Access Network (RAN)

104) , the radio network controller (Figure 7, Radio Access Network (RAN) 104)

being operable to provide radio access bearers for communicating the data

packets to and/or from the mobile communications user equipment (figure 7, UE

102) , wherein the communicating the data packets between the interface and

the mobile communications_user equipment comprises

parsing the payload data in each data packet to determine a number of the

plurality of

different types of data (figure 12),

forming a transport frame for each data packet by combining the payload data for

each

data packet with the sub-flow indicator ([0054] subflows) , the transport frame

being used to communicate each data packet between the interface and the

radio network controller (figure 7, RCN 104) .

Lee (Pub. No.: US 2003/0021256 A1) discloses a gateway support node (figure

1, GGSN) operable to provide an interface for communicating the data packets

(figure 1, Internet) between the mobile communications_user equipment (User

Equipment) and the a packet data telecommunications network, (figure 1,

internet)

a service support node (figure 1, SGSN) operable to communicate the data

packets between the gateway support node (GGSN) and the mobile

communications user equipment using a radio network controller (Radio Access

network (RAN)) , the radio network controller being operable to provide a radio

access bearer for communicating the data packets with the mobile

communications_user equipment (figure 7, User equipment "UE" 100)

The prior art however fails to disclose parsing the payload data in each data

packet to determine a number of the plurality of different types of data and a

numlx,-r of data symbols in each of the different data types, generating a radio

access bearer sub-flow indicator providing an indication of the number of

different types of data in the payload and the number of symbols in each different

data type, forming a transport frame for each data packet by combining the

payload data for each data packet with the sub-flow indicator, the transport frame

being used to communicate each data packet betwgcn the interface and the

radio network controller, and communicating the data packets between the

mobile communications user equipment and the radio network controller by

detecting the sub-flow indicator, and in accordance with the sub-flow indicator

arranging for the data ~om each of the different data fields to be communicated

via a different radio access bearer providing different quality of service

parameters appropriate for the different data type;

Claim 14 is allowed. Krishmarajah et al. '592' discloses data packet processing

layer (figure 12,data divider 32)) , and a user data tunnelling layer operable to

provide a virtual channel for communicating the processed data packets via an

intemet protocol communications layer (figure 12, IP layer processor 36), wherein

the data packet

processing layer is operable to parse the payload data in each data packet to

determine a number of the plurality of different data types (figure 12) to form a

transport frame for each data packet by combining the payload data for each

data packet with the sub-flow indicator ([0054] subflows) , the transport frame

being used to communicate each processed data packet between the gateway

support node (figure 7, GGSN) and a radio network controller (figure 7, SGSN)

via a 16 service support node (figure 7, SGSN) using the user data tunnelling

layer

The prior art however fails to disclose <u>parsing the payload data in each data</u>

<u>packet to determine a number of data symbols in each of the different data</u>

<u>types</u>, generating a radio access bearer sub-flow indicator providing an indication

of the number of different types of data in the payload and the number of

symbols in each different data type;

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to CHUONG T. HO whose telephone number is

(571)272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Sheikh Ayaz can be reached on (571) 272-3795. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

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direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/Chuong. T. Ho./
Examiner, Art Unit 2419

/Ayaz R. Sheikh/

Supervisory Patent Examiner, Art Unit 2419